

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

DARRIN MARCEL BREWER, )  
Plaintiff, )  
v. ) CIV-05-1382-R  
TIM COPPICK, et al., )  
Defendants. )

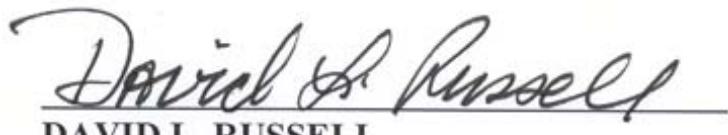
## ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Bana Roberts entered June 2, 2006. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation [Doc. No. 20] is ADOPTED in its entirety; Defendant Director John Doe's motion to dismiss Plaintiff's Complaint on grounds of *Younger*<sup>1</sup> abstention and the *Heck*<sup>2</sup> doctrine is GRANTED and the Plaintiff's Complaint against Defendant Director John Does is DISMISSED without prejudice; and Plaintiff's Complaint against Defendants Coppick, Thigpen, John Doe (Editor of the *Lawton Constitution* newspaper) and Gaylord is DISMISSED pursuant to F.R.Civ.P. 4(m) and an extension of time for Plaintiff to effect service would be futile because Plaintiff's claims against all of these Defendants are barred under *Younger* and *Heck*.

<sup>1</sup>See *Younger v. Harris*, 401 U.S. 37, 91 S.Ct. 746, 27 L.Ed.2d 669 (1971).

<sup>2</sup>See *Heck v. Humphrey*, 512 U.S. 477, 114 S.Ct. 2364, 129 L.Ed.2d 383 (1994).

**It is so ordered this 13<sup>th</sup> day of July, 2006.**

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**